

**Federal Defenders  
OF NEW YORK, INC.**

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December 21, 2007

**VIA ECF**

Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
New York, New York 10007

**Re: United States v. Cuesado  
07 Cr. 00799 (DLC)**

Hon. Judge Cote:

I write on behalf of my client Mr. Cuesado, to respectfully request that the Court adjourn the trial currently scheduled for January 10, 2007, so as to allow a psychiatric examination of Mr. Cuesado to be conducted at the Metropolitan Detention Center.

As the Court is aware, Mr. Cuesado's case has been recently re-assigned to me, and I have reason to believe that a psychiatric evaluation of Mr. Cuesado is necessary in order for the parties to appropriately determine how to proceed in this matter.

I have discussed this request for an adjournment and the basis for the request with AUSA Rosenshaft and he has no objection to an adjournment so that there is enough time for Mr. Cuesado to be evaluated.

To that end, I request that the time between January 10, 2008 and the next date set by the Court, be excluded under the Speedy Trial Act, pursuant to Title 18, United States Code, section 3161(h)(8)(A). Excluding time will best serve the ends of justice and outweigh the best interests of the public and the

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defendant in a speedy trial, because it will allow the government and defense counsel to properly continue discussions regarding a possible disposition in the matter. Thank you.

Respectfully submitted,



Sabrina P. Shroff  
Assistant Federal Defender  
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Enclosure